

EXPRESS MAIL LABEL NO.: EV 464 236 597 US

September 28, 2004 10/509506

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER: Furuya Case 1414

U.S. APPLICATION NO.

Confirmation No.: Unknown

(If known, see 37 CFR 1.5): Unknown

INTERNATIONAL APPLICATION NO.: PCT/JP03/05196 INTERNATIONAL FILING DATE: April 23, 2003

PRIORITY DATE CLAIMED: April 25, 2002

TITLE OF INVENTION: SEPARATING AGENT FOR ENANTIOMERIC ISOMERS  
AND METHOD OF PRODUCING THE SAME

APPLICANTS FOR DO/EO/US: (1) Yoshio OKAMOTO, (2) Chiyo YAMAMOTO and (3) Takateru KUBOTA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not transmitted by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
  - Amendment Before First Office Action including Transmittal therefor
  - Title Page of WIPO Document WO 03/091185 A1
  - Form PCT/ISA/210 – International Search Report (references are included in attached IDS)
  - Form PCT/IB/301 – Notification of Receipt of Record Copy
  - Form PCT/IB/304 – Notification Concerning Submission or Transmittal of Priority Document
  - Postal Card

U.S. APPLICATION NO.  
(if known, see 37 CFR 1.5):

INTERNATIONAL APPLICATION NO.:

DT04 Rec'd PCT/PTO 28 SEP 2004

ATTORNEY'S DOCKET NUMBER:

Unknown

PCT/JP03/05196

Furuya Case 1414

10/509506

21. [X] The following fees are submitted:

Calculations PTO USE ONLY

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1080.00  
International preliminary examination fee (37CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$ 920.00  
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$ 770.00  
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$ 730.00  
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$ 100.00  
**ENTER APPROPRIATE BASIC FEE AMOUNT = \$920.00**

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	7 - 20 = 0	0	X \$ 18.00	\$
Ind. claims	2 - 3 = 0	0	X \$ 86.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$290.00	\$
<b>TOTAL OF ABOVE CALCULATIONS</b>				<b>= \$920.00</b>

[ ] Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**SUBTOTAL**

- \$  
= \$920.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

+ \$  
= \$920.00

**TOTAL NATIONAL FEE**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+ \$  
= \$920.00

**TOTAL FEES ENCLOSED**

**Amount to be refunded: \$**  
**charged: \$**


- a. [X] A check in the amount of \$920.00 to cover the above fees is enclosed.  
b. [ ] Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.  
c. [X] The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

IN DUPLICATE

**PLEASE DIRECT CORRESPONDENCE TO THE ADDRESS  
ASSOCIATED WITH THE FOLLOWING CUSTOMER  
NUMBER: 23474**

300.01/04  
Form PTO-1390 Page 2 of 2

  
Terryence F. Chapman  
Registration Number: 32 549  
TFC/smd

FLYNN, THIEL, BOUTELL & TANIS, P.C.  
2026 Rambling Road  
Kalamazoo, Michigan 49008-1631

Express Mail Label No. EV 464 236 597 US

10/509506

IN THE U.S. PATENT AND TRADEMARK OFFICE

September 28, 2004

DT04 Rec'd PCT/PTO 28 SEP 2004

Applicants : Yoshio OKAMOTO et al

For : SEPARATING AGENT FOR ENANTIOMERIC ISOMERS  
AND METHOD OF PRODUCING THE SAME

PCT International Application No.: PCT/JP03/05196

PCT International Filing Date: April 23, 2003

U.S. Application No.

(if known, see 37 CFR 1.5): Unknown

Atty. Docket No.: Furuya Case 1414

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Herewith is an amendment in the above-identified application.

[ ] Applicant claims small entity status. See 37 CFR 1.27.

[ ] The additional filing fee has been calculated as shown below:

For	No. Filed	No. Extra	(X) LG Entity	RATE	( ) SM Entity	Fee
Basic Fee				\$770.00	\$385.00	\$
Total Claims	(8 - 20 = 0)		x \$ 18.00		x \$ 9.00	
Indep. Claims	(2 - 3 = 0)		x \$ 86.00		x \$ 43.00	
[ ] Multiple Dep. Claim			+ \$290.00		+ \$145.00	
* * * TOTAL FILING FEE * * *						\$ 0.00

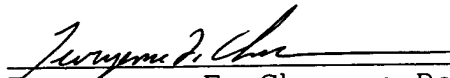
[ ] Pursuant to 37 CFR 1.136(a), please extend the shortened period for response by month(s). The extension fee is: \$.

[ ] A Check for \$ is enclosed to cover fees.

[X] Please credit any overpayment, or charge any additional filing fee required under 37 CFR 1.16 or 1.17 by this communication, to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.

IN DUPLICATE

TFC/smd

  
 Terryence F. Chapman Reg. No. 32 549

10/509506

PATENT APPLICATION

DT03 Rec'd PCT/PTO 28 SEP 2004

Express Mail Label No.: EV 464 236 597 US

Date of Mailing: September 28, 2004

Applicants : Yoshio OKAMOTO et al  
For : SEPARATING AGENT FOR ENANTIOMERIC ISOMERS  
AND METHOD OF PRODUCING THE SAME

PCT International Application No.: PCT/JP03/05196

PCT International Filing Date: April 23, 2003

U.S. Application No.

(if known, see 37 CFR 1.5): Unknown

Atty. Docket No.: Furuya Case 1414

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAILING CERTIFICATE**

Sir:

I hereby certify that the attached paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FLYNN, THIEL, BOUTELL &amp; TANIS, P.C.

By: *Mia Skyp*Date: September 28, 2004

Documents attached: Nationalized PCT Application  
Transmittal dated September 28, 2004  
including enclosures listed thereon

Telephone: (269) 381-1156

391.05/03

13146 U.S. PTO

092804